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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Martin Brady et al.

Serial No.: 09/228,109

Confirmation No.: 7301

Customer No.: 026366

Filed: January 11, 1999

Examiner: Jason D. Prone

Docket No.: 0166

Art Unit: 3724

For: HOUSEHOLD KITCHEN OPENING APPLIANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL
AND
REQUEST UNDER SECTION 1204.01 MPEP

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Supervisory Patent Examiner dated October 24, 2007, finally rejecting claims 3, 7 and 10-13.

Applicants request in accordance with the provisions of Section 1204.01 MPEP that the \$500 fee paid for the filing of a Notice of Appeal in this application on December 5, 2005, be applied toward payment for the \$510.00 fee for the instant filing of a Notice of Appeal. Requests were also filed to apply the December 5, 2005, fee to a Notice of Appeal filed March 7, 2006, and to a Notice of Appeal filed September 25, 2007, but there has been no decision of the Board of Patent Appeals and Interferences

Adjustment date: 12/27/2007 EAYALEW1
12/06/2005 LWONDIM1 00000012 09228109
01 FC:1401 -500.00 OP

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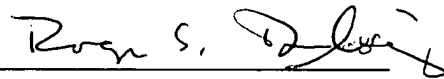
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01 FC:1401

Martin Brady et al.
Docket 0166
Appl. No. 09/228,109

resulting from the earlier appeals.

Payment for the \$10.00 balance due for the instant Notice of Appeal is made by a check submitted herewith.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By MARILYN GIBAS
Marilyn Gibas
Date Dec. 21, 2007